

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS-43

P.O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.
Help save water!*

April 14, 2016

Facsimile: (714) 578-9672

Dennis Ganse, Vice-President
Sully-Miller Contracting Co.
135 S. State College Blvd. Suite 400
Brea, CA 92821

08-0G9004
08-SBd-247-9.6/20.3
B.O. 2/24/2016

Dear Mr. Ganse:

The Department of Transportation (Caltrans) received letters dated March 10, and April 5, 2016, from Sully-Miller Contracting Co. (Sully-Miller), protesting the bid submitted by Griffith Company (Griffith) for the above referenced contract. The protest alleges that Griffith will not be performing at least 30 percent of the work and that Griffith made post-bid revisions to the amount of work it was subletting to its listed subcontractor Fine Grade Equipment, Inc. (Fine Grade) to achieve the 30 percent self-perform work.

Caltrans does not perform calculations at bid time of the percentages listed on the Subcontractor's List form with regard to the amount listed for a particular item. Caltrans finds that frequently the percentages of each bid item are not always a one for one match with the dollar amounts listed since the percentage listed is the percentage of work for that bid item and the dollar amount for individual bid items may include the contractors profit and overhead.

The process of bidding is very competitive and as you are aware, each bid and each contract is awarded based on the face of the bid. Caltrans strives to protect the integrity of the bidding process by ensuring the conformity in all bid documents. In this case, the Subcontractors List form submitted on bid date was consistent with the DBE Commitment Form submitted on February 29, 2016, both have Fine Grade listed to perform bid items 27, Clearing and Grubbing, 29, Dust Palliative, 30, Roadway Excavation, and 37, Class 2 Aggregate Base. The DBE Commitment and Confirmation form shows at time of submission that Griffith listed Fine Grade with the claimed participation amount of \$1,585,380.00, to go towards the 12 percent DBE goal requirement.

The Office of Business and Economic Opportunity, Contract Evaluation Branch (CEB) reviewed the DBE submittal and confirmed the DBE's participation on this project. As such, Griffith met the goal for this contract.

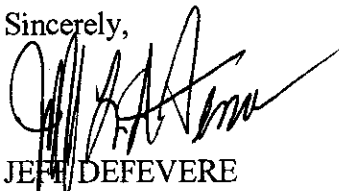
Mr. Ganse
April 14, 2016
Page 2

Based on the above, Caltrans finds Sully-Miller's protest does not have merit and will proceed to award the contract to the lowest responsible bidder, provided that all requirements have been met.

The Resident Engineer will receive a copy of this letter for Contract Administration Compliance.

If you have any questions, please contact Mulissa Smith, Contract Awards Manager, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff DeFevere', with a long horizontal flourish extending to the right.

JEFF DEFEVERE
Office Chief
Office Engineer, Construction Contract Awards
Division of Engineering Services

**** Transmit Conf. Report ****

P.1
CAL/TRANS PLANS COUNTER

Apr 14 2016 04:04pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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